IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA) 0:40CD444
	Plaintiff,) 8:10CR411)
	vs.) DETENTION ORDER
JU	LIO CESAR ORTEGA-GARCIA,	\(\)
	Defendant.	'
A.	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on November 19, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.	
C.	being found in the District United States without the successor in violation of 8 imprisonment under 8 U. (b) The offense is a crime of (c) The offense involves a nation (d) The offense involves a law wit:	s Report, and includes the following: e offense charged: usly been deported from the United States, at of Nebraska after having re-entered the e consent of the Attorney General or his U.S.C. § 1326(a) and subject to two years S.C. § 1326(b). violence. arcotic drug. arge amount of controlled substances, to
	may affect wheth X The defendant h X The defendant h X The defendant is X The defendant is X The defendant of ties. Past conduct of the defendant h The defendant h The defendant h	ppears to have a mental condition which ner the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at

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(b) At the time of the current arrest, the defendant was on: Probation	
	Parole
	Release pending trial, sentence, appeal or completion of sentence.
(c) Other Factors:	
,	X The defendant is an illegal alien and is subject to deportation.
	The defendant is a legal alien and will be subject to deportation if convicted.
	X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
	Other:
	ature and seriousness of the danger posed by the defendant's
release	e are as follows: the defendant's criminal history.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 19, 2010. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge